

**REMARKS/ARGUMENTS**

Claims 1-21, 23 and 24 are currently pending in this application. Claim 2 has been amended. No new matter has been introduced by the present amendment.

In the January 11, 2008 Reply, it was incorrectly argued in response to the 102(b) rejection in view of U.S. Patent 5,236,460 to Barber that the implant of the invention “is not to be used as a complete substitution for an entire vertebral body.” However, this was in error as it is clear from the specification at paragraphs [0011] and [0021] that the invention can be used to replace entire vertebral bodies. Applicant notes that this should be corrected at pages 13 and 24 of the prior Reply.

Claim 2 has been amended to use “comprising exactly” instead of “consists of” so that it is clear that exactly two of the receptacles are being required along with the other elements of claim 1.

**Conclusion**

Applicants request that the present amendment to claim 2 and the above comments be considered with the January 11 Reply, and submit that the present

**Applicant:** Magerl et al.  
**Application No.:** 10/534,293

application, including claims 1-21, 23 and 24, should now be in condition for allowance.

Respectfully submitted,

Fritz Magerl et al.

By\_\_\_/Randolph J. Huis/\_\_\_\_  
Randolph J. Huis  
Registration No. 34,626

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103  
Telephone: (215) 568-6400  
Facsimile: (215) 568-6499

RJH/dmm